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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,797	09/12/2003	Shinji Suzuki	200A 3450	8370
3713	7590	06/28/2007	EXAMINER	
KODA & ANDROLIA			LAO, LUN S	
2029 CENTURY PARK EAST				
SUITE 1140			ART UNIT	PAPER NUMBER
LOS ANGELES, CA 90067			2615	
			MAIL DATE	DELIVERY MODE
			06/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/661,797	SUZUKI, SHINJI	
	Examiner	Art Unit	
	Lun-See Lao	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Introduction*

1. This action is response to the amendment filed on 04-05-2007. Claim 1 has been amended and claims 2-4 have been canceled and claim 5 has been added. Claims 1 and 5 are pending.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda (JP 11-194798) in view of Cohen (US PAT. 7,123,731).

Consider Claim 1, Maeda discloses a multichannel reproducing apparatus in which audio signals a plurality of channels are processed, and by which processed audio signals of said plurality of channels are suppliable to loudspeakers respectively disposable for each one of said plurality of channels, said multichannel reproducing apparatus (Figs. 2-5) comprising:

a loudspeaker drive section (32) for driving said loudspeakers (51a-51f);

a test tone signal generating section (30) for generating a test tone signal used to measure a distance between said loudspeakers (based on the factory-shipments time

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and the speed of sound and see detailed description page 6 [0049]) and for supplying said test tone signal thus generated to one of said loudspeakers (51a-51f and see abstract);

a transmission time measuring section (33,37) for measuring a time period taken from a time when said test tone is generated by said test tone signal generating loudspeaker, in response to being supplied with said test tone signal, until a time when said test tone is received by other loudspeakers, thus obtaining a transmission time between loudspeakers (51a-51f and see detailed description page 3 [0026]-[0029]);

a listening position input section (33) for providing, when the loudspeakers include a pair of front loudspeakers (51a-51b) and a pair of rear loudspeakers (51d-51e), one or more selectable listening positions (33) on a line connecting a center point (33) between the pair of front loudspeakers (51a-51b) and the center point between the pair of rear loud speakers (51d-51e); and

a delay time control section (33,37) capable of delaying supply of the audio signals to each of the loudspeakers for a time that corresponds to a distance from a selected listing position to a position of each of the loudspeakers (51a-51f and see detailed description page 2 [0015]-[0016] and [0020]); but Maeda does not explicitly teach a loudspeaker position calculating section for calculating a coordinate position of each one of said loudspeakers based upon said transmission time between loudspeakers.

However Cohen teaches a loudspeaker position calculating section for calculating a coordinate position of each one of said loudspeakers based upon said transmission

time between loudspeakers (abstract; Figs. 1-4 and 8-13; column 4, line 59 to column 5, line 11; column 5, line 19 to column 6, line 55).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Cohen into Maeda so that the channel device taught by Maeda could be able to more accurately determine the location of the speaker.

Consider claim 5 Mead teaches that the one or more selectable listing positions are provided to divide equally the line (see fig.4 and see detailed description page 5 [0053]).

Consider claim 5 Cohen teaches that the one or more selectable listing positions are provided to divide equally the line (see abstract; Figs. 1-4 and 8-13; column 4, line 59 to column 5, line 11; column 5, line 19 to column 6, line 68).

### ***Response to Arguments***

4. Applicant's arguments with respect to claim 1 and 5 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Okaya (US PAT. 5,333,202) is cited to show other related multichannel reproducing apparatus.

7. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

**(571) 273-8300**

Hand-delivered responses should be brought to:

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (571) 272-7501. The examiner can normally be reached on Monday-Friday from 8:00 to 5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian, can be reached on (571) 272-7848.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (571) 272-2600.

Lao, Lun-See *L.S.*  
Patent Examiner  
US Patent and Trademark Office  
Knox  
571-272-7501  
Date 06-12-2007

*[Signature]*  
VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600